

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT COURT
OF ILLINOIS – WESTERN DIVISION**

CH
J.N. FILED
JUL 25 2008
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

Terence Bruce Richards
Plaintiff-Appellant

Vs.

United States of America
Clerk of United States Supreme Court
Defendant-Appellees

)
)
) Case Number 08 C 4037
)
) Judge Mathew F. Kennelly
)
)
)

MOTION FOR RECONSIDERATION

Plaintiff, Terence Bruce Richards, pursuant to 28 U.S.C. 1915 moves this Court
for an order granting him a **MOTION FOR RECONSIDERATION**, pursuant Fed. R.
Civ. P. 59(e).


Terence Bruce Richards

July 25th, 2008

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Matthew F. Kennelly	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	08 C 4037	DATE	7/18/2008
CASE TITLE	Terence Bruce Richards vs. United States, et al.		

DOCKET ENTRY TEXT

The Court summarily dismisses this action as frivolous and for failure to state a claim pursuant to 28 U.S.C. § 1915(e). Plaintiff's *in forma pauperis* petition [#4] is denied because the case is frivolous. The Clerk is directed to enter judgment dismissing this action.

■ [For further details see text below.]

Docketing to mail notices.
*Mail AO 450 form.

STATEMENT

Plaintiff has sued the United States and the Clerk of the Supreme Court. He says that the time for filing a petition for certiorari in the Supreme Court relating to Seventh Circuit Case No. 07-3360 was extended by Justice Stevens to July 13, 2008 and that he sent his "appellant brief" (presumably, his petition for certiorari) on April 21, 2008, but the Clerk of the Supreme Court did not file it. He says that he has a postal return receipt showing delivery of the brief.

These allegations, which the Court takes as true for present purposes, do not form a proper basis for a lawsuit. Plaintiff has a more-than-adequate remedy in the Supreme Court - he can attempt to re-file his certiorari petition, showing (by way of the postal return receipt) that he mailed it in timely fashion.

For these reasons, the Court dismisses this suit as frivolous and for failure to state a claim. The Clerk is directed to enter judgment dismissing this action.

Courtroom Deputy
Initials:

mk

United States District Court
Northern District of Illinois
Eastern Division

Richards

JUDGMENT IN A CIVIL CASE

v.

Case Number: 08 C 4037

USA

- ☐ Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury rendered its verdict.
- ☒ Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS HEREBY ORDERED AND ADJUDGED that judgment is entered dismissing this action as frivolous and for failure to state a claim pursuant to 28 U.S.C. §1915©.

Michael W. Dobbins, Clerk of Court

Date: 7/18/2008

/s/ Olga Rouse, Deputy Clerk